



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,128	09/30/1999	EDWARD O. CLAPPER	INTL-0274-US	4951

7590 10/21/2003

TIMOTHY N TROP
TROP PRUNER HU & MILES PC
8554 KATY FREEWAY
STE 100
HOUSTON, TX 77024

EXAMINER

BUI, KIEU OANH T

ART UNIT	PAPER NUMBER
----------	--------------

2611

16

DATE MAILED: 10/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/409,128

Applicant(s)

CLAPPER, EDWARD O. 2

Examiner

KIEU-OANH T BUI

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 14.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-8, 11-17, and 20-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Astiz et al. (U.S. Patent No. 5,918,012/ or "Astiz" hereinafter).

Regarding claims 1 and 11, Astiz discloses "a method of linking information to video information comprising linking video information with other information; and accessing other information in response to a user selection based on the location of the video information on a frame and frame identifier; and accessing said other information in response to a user selection of a frame selection", [i.e., the Astiz system provides linking video information with other information as the viewer selects any display portions on the screen, and based on the location of the video information on a frame and frame identifier, the other information is provided to the

viewer in response to the viewer's frame selection (see Figs. 3-4 and 7, and col. 6/lines 18-56; and col. 6/line 64 to col. 7/line 36 for frame selection)].

Regarding claims 2, 12 and 22, Astiz further discloses the step of "defining a display grid system and specifying at least one location in said grid system using coordinates" (Fig. 7, and col. 11/lines 1-25 for step 73, coordinates are used for obtaining at least one location in the grid system).

Regarding claims 3, 13 and 23, in view of claim 1 above, Astiz further discloses "developing a frame identifier using a time code", [i.e., time dimensions regarding as time code for associated with X and Y coordinates of a frame (or image) at that particular point in time (col. 7/lines 1-44 for this concern)].

As for claims 4 and 14, in further view of claim 1 above, Astiz further discloses "linking to other information without encoding a hyperlink into the video information", [i.e., Astiz's technique allows the viewer to link from some subject matter on a viewer screen to other data from another URL, namely, from a screen to a screen, based on x and y coordinates without encoding a hyperlink into the video information (Fig. 7, col. 4/lines 48-59, and col. 6/line 56 to col. 7/line 36)].

As for claims 5, 15 and 25, in view of claim 1 above, the step of "including linking to other information on the same medium that stores said video information" is disclosed by Astiz as Astiz discloses that information data and other related information data is on the same medium within the system [(Fig. 3 shows a same medium system, such as Internet server 33 and map 35 for storing the video information and a map file of video data file, col. 8/lines 6-59)].

Art Unit: 2611

Regarding claims 6, 16 and 24, in further view of claim 1 above, Astiz further includes “linking video information on one processor-based system to other information on a separate processor-based system” (col. 5/lines 50-67).

Regarding claims 7, 17 and 21, Astiz further discloses the steps of “wherein accessing said other information includes using a pointing device to select a location on a frame” (col. 3/lines 19-20 & col. 6/line 64 to col. 7/line 18 for using a pointing device to select a location on a frame).

Regarding claim 8, Astiz further discloses “wherein using a pointing device includes using a remote control unit”, (col. 3/lines 19-20, i.e., a pointing device as a remote control unit is addresses).

As for claim 20, Astiz further discloses “a processor-based system comprising a processor; and a storage coupled to said processor, storing software to link to additional information based on the user's selection” (Fig. 3, with a data processor 30 and a storage as map 35 for storing software or file to link to additional information, see col. 8/lines 6-59).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 9-10, 18-19, and 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Astiz et al. (U.S. Patent 5,918,012) in view of Youden et al. (U.S. Patent 5,815,146).

Regarding claims 9-10 and 18-19, Astiz does not specifically disclose the steps of “receiving a video stream, and pausing said video stream when accessing said other information” and “automatically resuming the playback of said video stream when the other information is no longer being accessed”; however, the technique of pausing a video program, [i.e., halting it or put it in an inactive status, when the user access the other information and automatically resuming the playback of that video program when the other information is no longer accessed is taught by Youden (see Youden, Pause command as of VCR services in col. 14/lines 1-12 and Figs. 11 & 12a-d)].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Astiz’s technique with Youden’s technique of controlling the execution of a video program by automatically suspending a first program when a second program being accessed and resuming back to the first program if the second program is no longer being accessed in order to offer an enhanced system that allow viewers not to miss any portion of a whole broadcasting program while accessing other information during the playback of that program as desired.

As for claims 26-27 and 30, in view of claims 9 and 10 above, the combination of Astiz and Youden teaches a method of recording incoming video information comprising storing said video information as received (Astiz, see claim 20 above for a data storage), for playback in the sequence the information was received; allowing playback of any portion of stored video information while continuing to store said incoming video information; and automatically pausing the playback of said video information when the user changes the software focus, while continuing to record the incoming video stream (see Examiner’s discussion in claims 9-10 above).

As for claim 28, in view of claim 1 above, Astiz discloses the system to include “linking to different video information based on the user's selection of a location and a frame on a display of video information”, [i.e., the Astiz system provides linking video information with other information as the viewer selects any display portions on the screen, and based on the location of the video information on a frame and frame identifier, the other information is provided to the viewer in response to the viewer's frame selection (see Figs. 3-4 and 7, and col. 6/lines 18-56; and col. 6/line 64 to col. 7/line 36 for frame selection)].

As for claim 29, in further view of claims 1 and 28 above, Astiz further discloses “automatically linking to said different video information based on the user's selection of a particular frame location using a pointing device” (col. 3/lines 19-20 & col. 6/line 64 to col. 7/line 18 for using a pointing device to select a location on a frame).

Conclusion

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park IV, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:00 PM.

Art Unit: 2611

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Krista Bui
Art Unit 2611
October 14, 2003

A handwritten signature in black ink, appearing to read 'Krista Bui', followed by a long horizontal line extending to the right.

KRISTA BUI
PATENT EXAMINER